

# MUSEUM AND LIBRARY SERVICES ACT OF 2003

Mr. HOEKSTRA. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 13) to reauthorize the Museum and Library Services Act, and for other purposes.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Museum and Library Services Act of 2003".

## SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

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### TITLE I—GENERAL PROVISIONS

#### SEC. 101. GENERAL DEFINITIONS.

Section 202 of the Museum and Library Services Act (20 U.S.C. 9101) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) DETERMINED TO BE OBSCENE.—The term 'determined to be obscene' means determined, in a final judgment of a court of record and of competent jurisdiction in the United States, to be obscene.";

(2) by striking paragraph (4);

(3) by redesignating paragraph (3) as paragraph (5);

(4) by inserting after paragraph (2) the following:

"(3) FINAL JUDGMENT.—The term 'final judgment' means a judgment that is—

"(A) not reviewed by any other court that has authority to review such judgment; or

"(B) not reviewable by any other court.

"(4) INDIAN TRIBE.—The term 'Indian tribe' means any tribe, band, nation, or other organized group or community, including any Alaska native village, regional corporation, or village corporation (as defined in, or established pursuant to, the Alaska Native Claims Settle-

ment Act (43 U.S.C. 1601 et seq.)), which is recognized by the Secretary of the Interior as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.";

(5) by adding at the end the following:

"(6) MUSEUM AND LIBRARY SERVICES BOARD.—The term 'Museum and Library Services Board' means the National Museum and Library Services Board established under section 207.

"(7) OBSCENE.—The term 'obscene' means, with respect to a project, that—

"(A) the average person, applying contemporary community standards, would find that such project, when taken as a whole, appeals to the prurient interest;

"(B) such project depicts or describes sexual conduct in a patently offensive way; and

"(C) such project, when taken as a whole, lacks serious literary, artistic, political, or scientific value.".

#### SEC. 102. INSTITUTE OF MUSEUM AND LIBRARY SERVICES.

Section 203 of the Museum and Library Services Act (20 U.S.C. 9102) is amended—

(1) in subsection (b), by striking the last sentence; and

(2) by adding at the end the following:

"(c) MUSEUM AND LIBRARY SERVICES BOARD.—There shall be a National Museum and Library Services Board within the Institute, as provided under section 207.".

#### SEC. 103. DIRECTOR OF THE INSTITUTE.

Section 204 of the Museum and Library Services Act (20 U.S.C. 9103) is amended—

(1) in subsection (e), by adding at the end the following: "Where appropriate, the Director shall ensure that activities under subtitle B are coordinated with activities under section 1251 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6383)." ; and

(2) by adding at the end the following:

"(f) REGULATORY AUTHORITY.—The Director may promulgate such rules and regulations as are necessary and appropriate to implement the provisions of this title.

"(g) APPLICATION PROCEDURES.—

"(1) IN GENERAL.—In order to be eligible to receive financial assistance under this title, a person or agency shall submit an application in accordance with procedures established by the Director by regulation.

"(2) REVIEW AND EVALUATION.—The Director shall establish procedures for reviewing and evaluating applications submitted under this title. Actions of the Institute and the Director in the establishment, modification, and revocation of such procedures under this Act are vested in the discretion of the Institute and the Director. In establishing such procedures, the Director shall ensure that the criteria by which applications are evaluated are consistent with the purposes of this title, taking into consideration general standards of decency and respect for the diverse beliefs and values of the American public.

"(3) TREATMENT OF PROJECTS DETERMINED TO BE OBSCENE.—

"(A) IN GENERAL.—The procedures described in paragraph (2) shall include provisions that clearly specify that obscenity is without serious literary, artistic, political, or scientific merit, and is not protected speech.

"(B) PROHIBITION.—No financial assistance may be provided under this title with respect to any project that is determined to be obscene.

"(C) TREATMENT OF APPLICATION DISAPPROVAL.—The disapproval of an application by the Director shall not be construed to mean, and shall not be considered as evidence that, the project for which the applicant requested financial assistance is or is not obscene.".

#### SEC. 104. NATIONAL MUSEUM AND LIBRARY SERVICES BOARD.

The Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended—

(1) by redesignating section 207 as section 208; and

(2) by inserting after section 206 the following:

#### "SEC. 207. NATIONAL MUSEUM AND LIBRARY SERVICES BOARD.

"(a) ESTABLISHMENT.—There is established within the Institute a board to be known as the 'National Museum and Library Services Board'.

"(b) MEMBERSHIP.—

"(1) NUMBER AND APPOINTMENT.—The Museum and Library Services Board shall be composed of the following:

"(A) The Director.

"(B) The Deputy Director for the Office of Library Services.

"(C) The Deputy Director for the Office of Museum Services.

"(D) The Chairman of the National Commission on Libraries and Information Science.

"(E) 10 members appointed by the President, by and with the advice and consent of the Senate, from among individuals who are citizens of the United States and who are specially qualified by virtue of their education, training, or experience in the area of library services, or their commitment to libraries.

"(F) 10 members appointed by the President, by and with the advice and consent of the Senate, from among individuals who are citizens of the United States and who are specially qualified by virtue of their education, training, or experience in the area of museum services, or their commitment to museums.

"(2) SPECIAL QUALIFICATIONS.—

"(A) LIBRARY MEMBERS.—Of the members of the Museum and Library Services Board appointed under paragraph (1)(E)—

"(i) 5 shall be professional librarians or information specialists, of whom—

"(I) not less than 1 shall be knowledgeable about electronic information and technical aspects of library and information services and sciences; and

"(II) not less than 1 other shall be knowledgeable about the library and information service needs of underserved communities; and

"(ii) the remainder shall have special competence in, or knowledge of, the needs for library and information services in the United States.

"(B) MUSEUM MEMBERS.—Of the members of the Museum and Library Services Board appointed under paragraph (1)(F)—

"(i) 5 shall be museum professionals who are or have been affiliated with—

"(I) resources that, collectively, are broadly representative of the curatorial, conservation, educational, and cultural resources of the United States; or

"(II) museums that, collectively, are broadly representative of various types of museums, including museums relating to science, history, technology, art, zoos, botanical gardens, and museums designed for children; and

"(ii) the remainder shall be individuals recognized for their broad knowledge, expertise, or experience in museums or commitment to museums.

"(3) GEOGRAPHIC AND OTHER REPRESENTATION.—Members of the Museum and Library Services Board shall be appointed to reflect persons from various geographic regions of the United States. The Museum and Library Services Board may not include, at any time, more than 3 appointive members from a single State. In making such appointments, the President shall give due regard to equitable representation of women, minorities, and persons with disabilities who are involved with museums and libraries.

"(4) VOTING.—The Director, the Deputy Director of the Office of Library Services, the Deputy Director of the Office of Museum Services, and the Chairman of the National Commission on Library and Information Science shall be nonvoting members of the Museum and Library Services Board.

"(c) TERMS.—

"(1) IN GENERAL.—Except as otherwise provided in this subsection, each member of the

Museum and Library Services Board appointed under subparagraph (E) or (F) of subsection (b)(1) shall serve for a term of 5 years.

“(2) INITIAL BOARD APPOINTMENTS.—

“(A) TREATMENT OF MEMBERS SERVING ON EFFECTIVE DATE.—Notwithstanding subsection (b), each individual who is a member of the National Museum Services Board on the date of enactment of the Museum and Library Services Act of 2003, may, at the individual's election, complete the balance of the individual's term as a member of the Museum and Library Services Board.

“(B) FIRST APPOINTMENTS.—Notwithstanding subsection (b), any appointive vacancy in the initial membership of the Museum and Library Services Board existing after the application of subparagraph (A), and any vacancy in such membership subsequently created by reason of the expiration of the term of an individual described in subparagraph (A), shall be filled by the appointment of a member described in subsection (b)(1)(E). When the Museum and Library Services Board consists of an equal number of individuals who are specially qualified in the area of library services and individuals who are specially qualified in the area of museum services, this subparagraph shall cease to be effective and the board shall be appointed in accordance with subsection (b).

“(C) AUTHORITY TO ADJUST TERMS.—The terms of the first members appointed to the Museum and Library Service Board shall be adjusted by the President as necessary to ensure that the terms of not more than 4 members expire in the same year. Such adjustments shall be carried out through designation of the adjusted term at the time of appointment.

“(3) VACANCIES.—Any member appointed to fill a vacancy shall serve for the remainder of the term for which the predecessor of the member was appointed.

“(4) REAPPOINTMENT.—No appointive member of the Museum and Library Services Board who has been a member for more than 7 consecutive years shall be eligible for reappointment.

“(5) SERVICE UNTIL SUCCESSOR TAKES OFFICE.—Notwithstanding any other provision of this subsection, an appointive member of the Museum and Library Services Board shall serve after the expiration of the term of the member until the successor to the member takes office.

“(d) DUTIES AND POWERS.—

“(1) IN GENERAL.—The Museum and Library Services Board shall advise the Director on general policies with respect to the duties, powers, and authority of the Institute relating to museum and library services, including financial assistance awarded under this title.

“(2) NATIONAL AWARDS.—The Museum and Library Services Board shall advise the Director in making awards under section 209.

“(e) CHAIRPERSON.—The Director shall serve as Chairperson of the Museum and Library Services Board.

“(f) MEETINGS.—

“(1) IN GENERAL.—The Museum and Library Services Board shall meet not less than 2 times each year and at the call of the Director.

“(2) VOTE.—All decisions by the Museum and Library Services Board with respect to the exercise of its duties and powers shall be made by a majority vote of the members of the Board who are present and authorized to vote.

“(g) QUORUM.—A majority of the voting members of the Museum and Library Services Board shall constitute a quorum for the conduct of business at official meetings, but a lesser number of members may hold hearings.

“(h) COMPENSATION AND TRAVEL EXPENSES.—

“(1) COMPENSATION.—Each member of the Museum and Library Services Board who is not an officer or employee of the Federal Government may be compensated at a rate to be fixed by the President, but not to exceed the daily equivalent of the maximum annual rate of pay authorized for a position above grade GS-15 of the General Schedule under section 5108 of title 5, United States Code, for each day (including

travel time) during which such member is engaged in the performance of the duties of the Museum and Library Services Board. Members of the Museum and Libraries Services Board who are full-time officers or employees of the Federal Government may not receive additional pay, allowances, or benefits by reason of their service on the Museum and Library Services Board.

“(2) TRAVEL EXPENSES.—Each member of the Museum and Library Services Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

“(i) COORDINATION.—The Director, with the advice of the Museum and Library Services Board, shall take steps to ensure that the policies and activities of the Institute are coordinated with other activities of the Federal Government.”

**SEC. 105. AWARDS; ANALYSIS OF IMPACT OF SERVICES.**

The Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended by inserting after section 208 (as redesignated by section 104 of this Act) the following:

**“SEC. 209. AWARDS.**

“The Director, with the advice of the Museum and Library Services Board, may annually award National Awards for Library Service and National Awards for Museum Service to outstanding libraries and outstanding museums, respectively, that have made significant contributions in service to their communities.

**“SEC. 210. ANALYSIS OF IMPACT OF MUSEUM AND LIBRARY SERVICES.**

“From amounts described in sections 214(c) and 275(b), the Director shall carry out and publish analyses of the impact of museum and library services. Such analyses—

“(1) shall be conducted in ongoing consultation with—

“(A) State library administrative agencies;

“(B) State, regional, and national library and museum organizations; and

“(C) other relevant agencies and organizations;

“(2) shall identify national needs for, and trends of, museum and library services provided with funds made available under subtitles B and C;

“(3) shall report on the impact and effectiveness of programs conducted with funds made available by the Institute in addressing such needs; and

“(4) shall identify, and disseminate information on, the best practices of such programs to the agencies and entities described in paragraph (1).

**“SEC. 210A. PROHIBITION ON USE OF FUNDS FOR CONSTRUCTION.**

“No funds appropriated to carry out the Museum and Library Services Act, the Library Services and Technology Act, or the Museum Services Act may be used for construction expenses.”

**TITLE II—LIBRARY SERVICES AND TECHNOLOGY**

**SEC. 201. PURPOSE.**

Section 212 of the Library Services and Technology Act (20 U.S.C. 9121) is amended by striking paragraphs (2) through (5) and inserting the following:

“(2) to promote improvement in library services in all types of libraries in order to better serve the people of the United States;

“(3) to facilitate access to resources in all types of libraries for the purpose of cultivating an educated and informed citizenry; and

“(4) to encourage resource sharing among all types of libraries for the purpose of achieving economical and efficient delivery of library services to the public.”

**SEC. 202. DEFINITIONS.**

Section 213 of the Library Services and Technology Act (20 U.S.C. 9122) is amended—

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2), (3), (4), (5), and (6) as paragraphs (1), (2), (3), (4), and (5), respectively.

**SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

Section 214 of the Library Services and Technology Act (20 U.S.C. 9123) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle \$232,000,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2009.”; and

(2) in subsection (c), by striking “3 percent” and inserting “3.5 percent”.

**SEC. 204. RESERVATIONS AND ALLOTMENTS.**

Section 221(b)(3) of the Library Services and Technology Act (20 U.S.C. 9131(b)(3)) is amended to read as follows:

**“(3) MINIMUM ALLOTMENTS.—**

“(A) IN GENERAL.—For purposes of this subsection, the minimum allotment for each State shall be \$340,000, except that the minimum allotment shall be \$40,000 in the case of the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

“(B) RATABLY REDUCTIONS.—Notwithstanding subparagraph (A), if the sum appropriated under the authority of section 214 and not reserved under subsection (a) for any fiscal year is insufficient to fully satisfy the requirement of subparagraph (A), each of the minimum allotments under such subparagraph shall be reduced ratably.

**“(C) EXCEPTION.—**

“(i) IN GENERAL.—Notwithstanding subparagraph (A), if the sum appropriated under the authority of section 214 and not reserved under subsection (a) for any fiscal year exceeds the aggregate of the allotments for all States under this subsection for fiscal year 2003—

“(I) the minimum allotment for each State otherwise receiving a minimum allotment of \$340,000 under subparagraph (A) shall be increased to \$680,000; and

“(II) the minimum allotment for each State otherwise receiving a minimum allotment of \$40,000 under subparagraph (A) shall be increased to \$60,000.

“(ii) INSUFFICIENT FUNDS TO AWARD ALTERNATIVE MINIMUM.—If the sum appropriated under the authority of section 214 and not reserved under subsection (a) for any fiscal year exceeds the aggregate of the allotments for all States under this subsection for fiscal year 2003 yet is insufficient to fully satisfy the requirement of clause (i), such excess amount shall first be allotted among the States described in clause (i)(I) so as to increase equally the minimum allotment for each such State above \$340,000. After the requirement of clause (i)(I) is fully satisfied for any fiscal year, any remainder of such excess amount shall be allotted among the States described in clause (i)(II) so as to increase equally the minimum allotment for each such State above \$40,000.

**“(D) SPECIAL RULE.—**

“(i) IN GENERAL.—Notwithstanding any other provision of this subsection and using funds allotted for the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau under this subsection, the Director shall award grants to the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau to carry out activities described in this subtitle in accordance with the provisions of this subtitle that the Director determines are not inconsistent with this subparagraph.

“(ii) AWARD BASIS.—The Director shall award grants pursuant to clause (i) on a competitive

basis and after taking into consideration available recommendations from the Pacific Region Educational Laboratory in Honolulu, Hawaii.

“(iii) ADMINISTRATIVE COSTS.—The Director may provide not more than 5 percent of the funds made available for grants under this subparagraph to pay the administrative costs of the Pacific Region Educational Laboratory regarding activities assisted under this subparagraph.”.

#### SEC. 205. STATE PLANS.

Section 224 of the Library Services and Technology Act (20 U.S.C. 9134) is amended—

(1) in subsection (a)(1), by striking “not later than April 1, 1997,” and inserting “once every 5 years, as determined by the Director.”; and

(2) in subsection (f)—

(A) by striking “this Act” each place such term appears and inserting “this subtitle”;

(B) in paragraph (1)—

(i) by striking “section 213(2)(A) or (B)” and inserting “section 213(1)(A) or (B)”;

(ii) by striking “1934,” and all that follows through “Act, may” and inserting “1934 (47 U.S.C. 254(h)(6)) may”;

(C) in paragraph (7)—

(i) in the matter preceding subparagraph (A), by striking “section:” and inserting “subsection:”;

(ii) in subparagraph (D), by striking “given” and inserting “applicable to”.

#### SEC. 206. GRANTS TO STATES.

Section 231 of the Library Services and Technology Act (20 U.S.C. 9141) is amended—

(1) in subsection (a), by striking paragraphs (1) and (2) and inserting the following:

“(1) expanding services for learning and access to information and educational resources in a variety of formats, in all types of libraries, for individuals of all ages;

“(2) developing library services that provide all users access to information through local, State, regional, national, and international electronic networks;

“(3) providing electronic and other linkages among and between all types of libraries;

“(4) developing public and private partnerships with other agencies and community-based organizations;

“(5) targeting library services to individuals of diverse geographic, cultural, and socioeconomic backgrounds, to individuals with disabilities, and to individuals with limited functional literacy or information skills; and

“(6) targeting library and information services to persons having difficulty using a library and to underserved urban and rural communities, including children (from birth through age 17) from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.”; and

(2) in subsection (b), by striking “between the two purposes described in paragraphs (1) and (2) of such subsection,” and inserting “among such purposes.”.

#### SEC. 207. NATIONAL LEADERSHIP GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.

Section 262(a)(1) of the Library Services and Technology Act (20 U.S.C. 9162(a)(1)) is amended by striking “education and training” and inserting “education, recruitment, and training”.

#### TITLE III—MUSEUM SERVICES

##### SEC. 301. PURPOSE.

Section 271 of the Museum and Library Services Act (20 U.S.C. 9171) is amended to read as follows:

##### “SEC. 271. PURPOSE.

“It is the purpose of this subtitle—

“(1) to encourage and support museums in carrying out their public service role of connecting the whole of society to the cultural, artistic, historical, natural, and scientific understandings that constitute our heritage;

“(2) to encourage and support museums in carrying out their educational role, as core providers of learning and in conjunction with schools, families, and communities;

“(3) to encourage leadership, innovation, and applications of the most current technologies and practices to enhance museum services;

“(4) to assist, encourage, and support museums in carrying out their stewardship responsibilities to achieve the highest standards in conservation and care of the cultural, historic, natural, and scientific heritage of the United States to benefit future generations;

“(5) to assist, encourage, and support museums in achieving the highest standards of management and service to the public, and to ease the financial burden borne by museums as a result of their increasing use by the public; and

“(6) to support resource sharing and partnerships among museums, libraries, schools, and other community organizations.”.

##### SEC. 302. DEFINITIONS.

Section 272(1) of the Museum and Library Services Act (20 U.S.C. 9172(1)) is amended by adding at the end the following: “Such term includes aquariums, arboretums, botanical gardens, art museums, children’s museums, general museums, historic houses and sites, history museums, nature centers, natural history and anthropology museums, planetariums, science and technology centers, specialized museums, and zoological parks.”.

##### SEC. 303. MUSEUM SERVICES ACTIVITIES.

Section 273 of the Museum and Library Services Act (20 U.S.C. 9173) is amended to read as follows:

##### “SEC. 273. MUSEUM SERVICES ACTIVITIES.

“(a) IN GENERAL.—The Director, subject to the policy advice of the Museum and Library Services Board, may enter into arrangements, including grants, contracts, cooperative agreements, and other forms of assistance, with museums and other entities as the Director considers appropriate, to pay the Federal share of the cost of—

“(1) supporting museums in providing learning and access to collections, information, and educational resources in a variety of formats (including exhibitions, programs, publications, and websites) for individuals of all ages;

“(2) supporting museums in building learning partnerships with the Nation’s schools and developing museum resources and programs in support of State and local school curricula;

“(3) supporting museums in assessing, conserving, researching, maintaining, and exhibiting their collections, and in providing educational programs to the public through the use of their collections;

“(4) stimulating greater collaboration among museums, libraries, schools, and other community organizations in order to share resources and strengthen communities;

“(5) encouraging the use of new technologies and broadcast media to enhance access to museum collections, programs, and services;

“(6) supporting museums in providing services to people of diverse geographic, cultural, and socioeconomic backgrounds and to individuals with disabilities;

“(7) supporting museums in developing and carrying out specialized programs for specific segments of the public, such as programs for urban neighborhoods, rural areas, Indian reservations, and State institutions;

“(8) supporting professional development and technical assistance programs to enhance museum operations at all levels, in order to ensure the highest standards in all aspects of museum operations;

“(9) supporting museums in research, program evaluation, and the collection and dissemination of information to museum professionals and the public; and

“(10) encouraging, supporting, and disseminating model programs of museum and library collaboration.

“(b) FEDERAL SHARE.—

“(1) 50 PERCENT.—Except as provided in paragraph (2), the Federal share described in subsection (a) shall be not more than 50 percent.

“(2) GREATER THAN 50 PERCENT.—The Director may use not more than 20 percent of the funds made available under this subtitle for a fiscal year to enter into arrangements under subsection (a) for which the Federal share may be greater than 50 percent.

“(3) OPERATIONAL EXPENSES.—No funds for operational expenses may be provided under this section to any entity that is not a museum.

“(c) REVIEW AND EVALUATION.—

“(1) IN GENERAL.—The Director shall establish procedures for reviewing and evaluating arrangements described in subsection (a) entered into under this subtitle.

“(2) APPLICATIONS FOR TECHNICAL ASSISTANCE.—

“(A) IN GENERAL.—The Director may use not more than 10 percent of the funds appropriated to carry out this subtitle for technical assistance awards.

“(B) INDIVIDUAL MUSEUMS.—Individual museums may receive not more than 3 technical assistance awards under subparagraph (A), but subsequent awards for technical assistance shall be subject to review outside the Institute.

“(d) SERVICES FOR NATIVE AMERICANS.—From amounts appropriated under section 275, the Director shall reserve 1.75 percent to award grants to, or enter into contracts or cooperative agreements with, Indian tribes and organizations that primarily serve and represent Native Hawaiians (as defined in section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517)), to enable such tribes and organizations to carry out the activities described in subsection (a).”.

##### SEC. 304. REPEALS.

Sections 274 and 275 of the Museum and Library Services Act (20 U.S.C. 9174 and 9175) are repealed.

##### SEC. 305. AUTHORIZATION OF APPROPRIATIONS.

Section 276 of the Museum and Library Services Act (20 U.S.C. 9176) is amended—

(1) in subsection (a), by striking “\$28,700,000 for the fiscal year 1997, and such sums as may be necessary for each of the fiscal years 1998 through 2002,” and inserting “\$38,600,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2009.”; and

(2) by redesignating such section as section 275 of such Act.

##### SEC. 306. SHORT TITLE.

Subtitle C of the Museum and Library Services Act (20 U.S.C. 9171 et seq.) is amended—

(1) by redesignating sections 271, 272, and 273 as sections 272, 273, and 274, respectively; and

(2) by inserting after the subtitle heading the following:

##### “SEC. 271. SHORT TITLE.

“This subtitle may be cited as the ‘Museum Services Act’.”.

#### TITLE IV—NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

##### SEC. 401. AMENDMENT TO CONTRIBUTIONS.

Section 4 of the National Commission on Libraries and Information Science Act (20 U.S.C. 1503) is amended by striking “accept, hold, administer, and utilize gifts, bequests, and devises of property,” and inserting “solicit, accept, hold, administer, invest in the name of the United States, and utilize gifts, bequests, and devises of services or property.”.

##### SEC. 402. AMENDMENT TO MEMBERSHIP.

Section 6(a) of the National Commission on Libraries and Information Science Act (20 U.S.C. 1505(a)) is amended—

(1) in the second sentence, by striking “and at least one other of whom shall be knowledgeable with respect to the library and information service and science needs of the elderly”;

(2) by striking the fourth sentence and inserting the following: “A majority of members of the

Commission who have taken office and are serving on the Commission shall constitute a quorum for conduct of business at official meetings of the Commission"; and

(3) in the fifth sentence, by striking "five years, except that" and all that follows through the period and inserting "five years, except that—

"(1) a member of the Commission appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed, shall be appointed only for the remainder of such term; and

"(2) any member of the Commission may continue to serve after an expiration of the member's term of office until such member's successor is appointed, has taken office, and is serving on the Commission."

#### **TITLE V—MISCELLANEOUS PROVISIONS**

##### **SEC. 501. AMENDMENTS TO ARTS AND ARTIFACTS INDEMNITY ACT.**

Section 5 of the Arts and Artifacts Indemnity Act (20 U.S.C. 974) is amended—

(1) in subsection (b), by striking "\$5,000,000,000" and inserting "\$8,000,000,000";

(2) in subsection (c), by striking "\$500,000,000" and inserting "\$600,000,000"; and

(3) in subsection (d)—

(A) in paragraph (6), by striking "or" after the semicolon;

(B) by striking paragraph (7) and inserting the following:

"(7) not less than \$400,000,000 but less than \$500,000,000, then coverage under this chapter shall extend only to loss or damage in excess of the first \$400,000 of loss or damage to items covered; or

"(8) \$500,000,000 or more, then coverage under this chapter shall extend only to loss or damage in excess of the first \$500,000 of loss or damage to items covered."

##### **SEC. 502. NATIONAL CHILDREN'S MUSEUM.**

(a) DESIGNATION.—The Capital Children's Museum located at 800 Third Street, NE, Washington, D.C. (or any successor location), organized under the laws of the District of Columbia, is designated as the "National Children's Museum".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Capital Children's Museum referred to in subsection (a) shall be deemed to be a reference to the National Children's Museum.

##### **SEC. 503. CONFORMING AMENDMENT.**

Section 170(e)(6)(B)(i)(III) of the Internal Revenue Code of 1986 (relating to the special rule for contributions of computer technology and equipment for educational purposes) is amended by striking "section 213(2)(A) of the Library Services and Technology Act (20 U.S.C. 9122(2)(A))" and inserting "section 213(1)(A) of the Library Services and Technology Act (20 U.S.C. 9122(1)(A))".

##### **SEC. 504. TECHNICAL CORRECTIONS.**

(a) TITLE HEADING.—The title heading for the Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended to read as follows:

#### **"TITLE II—MUSEUM AND LIBRARY SERVICES"**

(b) SUBTITLE A HEADING.—The subtitle heading for subtitle A of the Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended to read as follows:

#### **"Subtitle A—General Provisions"**

(c) SUBTITLE B HEADING.—The subtitle heading for subtitle B of the Museum and Library Services Act (20 U.S.C. 9121 et seq.) is amended to read as follows:

#### **"Subtitle B—Library Services and Technology"**

(d) SUBTITLE C HEADING.—The subtitle heading for subtitle C of the Museum and Library Services Act (20 U.S.C. 9171 et seq.) is amended to read as follows:

#### **"Subtitle C—Museum Services"**

(e) CONTRIBUTIONS.—Section 208 of the Museum and Library Services Act (20 U.S.C. 9106) (as redesignated by section 104 of this Act) is amended by striking "property of services" and inserting "property or services".

(f) STATE PLAN CONTENTS.—Section 224(b)(5) of the Library Services and Technology Act (20 U.S.C. 9134(b)(5)) is amended by striking "and" at the end.

(g) NATIONAL LEADERSHIP GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.—Section 262(b)(1) of the Library Services and Technology Act (20 U.S.C. 9162(b)(1)) is amended by striking "cooperative agreements, with," and inserting "cooperative agreements with,".

##### **SEC. 505. REPEALS.**

(a) NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT.—Section 5 of the National Commission on Libraries and Information Science Act (20 U.S.C. 1504) is amended—

(1) by striking subsections (b) and (c); and

(2) by redesignating subsections (d), (e), and (f) as subsections (b), (c), and (d), respectively.

(b) MUSEUM AND LIBRARY SERVICES ACT OF 1996.—Sections 704 through 707 of the Museum and Library Services Act of 1996 (20 U.S.C. 9102 note, 9103 note, and 9105 note) are repealed.

##### **SEC. 506. EFFECTIVE DATE.**

The amendments made by this Act shall take effect on the date of enactment of this Act, except that the amendments made by sections 203, 204, and 305 of this Act shall take effect on October 1, 2003.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. HOEKSTRA) and the gentleman from Texas (Mr. HINOJOSA) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. HOEKSTRA).

#### **GENERAL LEAVE**

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 13.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOEKSTRA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 13, the Museum and Library Services Act of 2003, authorizes Federal assistance to museums and libraries through fiscal year 2009. The bill before the House today maintains the modest, but essential, Federal support for museums and libraries; encourages model cooperation between museums and libraries; and authorizes funds for the one Federal agency, the Institute of Museum and Library Services, devoted exclusively to museums and libraries.

Last Congress, the Committee on Education and the Workforce reported a bipartisan authorization bill that had 94 cosponsors. It was supported by the administration, and it was endorsed by the American Library Association, the Chief Officers of State Library Agencies, and the American Association of Museums. To complete our work from last Congress, at the start of this year I introduced H.R. 13, the Museum and Library Services Act of 2003. This year's bill has 126 cosponsors and makes several modifications to current law to streamline and strengthen mu-

seum and library services and builds on the bipartisan progress made by the committee during the 107th Congress.

In March, the House overwhelmingly passed H.R. 13 by a vote of 416 to 2. Since then, we have been working with the Senate to reach agreement on a consensus reauthorization bill that we could get to the President as quickly as possible. Today, the House will consider that consensus bill, which passed the Senate by unanimous consent on August 1, 2003.

Generally, this legislation authorizes the Federal Library and Museums program under the Institute of Museum and Library Services. More specifically, the bipartisan, bicameral version of the Museum and Library Services Act prohibits projects that are determined to be obscene from receiving funding; ensures that library activities are coordinated with activities under the No Child Left Behind Act of 2001; consolidates museum and library advisory board activities under a single statute; and ensures that administrative funds are also used to conduct annual analyses of the impact of museum and library services to identify needs and trends of services provided under funded programs.

In addition, H.R. 13 contains provisions to increase indemnity caps under the Arts and Artifacts Indemnity Act. These changes to the Arts and Artifacts Indemnity Act are designed to better facilitate the international exchange between museum exhibitions in light of increased commercial insurance costs for international museum exhibitions since September 11, 2001.

The Library and Services and Technology subtitle of this legislation is the only Federal program solely devoted to supporting libraries and will assist libraries in providing crucial services to the communities they serve. Throughout our Nation, libraries are at the forefront of reading and family literacy programs. Additionally, libraries serve as essential links to the business community, assisting with job creation, training programs, and business development initiatives. They are also critical for many people with disabilities, providing them with specialized materials and resources that are obtainable in a single location. For older Americans, libraries provide a place to interact with others, use the Internet, and receive services. For those persons of limited resources or who live in remote areas, libraries provide access to books and reference materials, computers and the Internet and community-based social services that are often available nowhere else.

The Museum Services subtitle of this legislation supports museums and their educational role and assists museums in modernizing their methods and facilities so that they are better able to conserve the cultural, historic, and scientific heritage of the United States. Museums play an important role in the education of people of all ages. Many American museums provide K through

12 educational programming, with most using local and State curriculum standards to shape their programs. Additionally, museums increasingly partner with libraries to offer joint educational opportunities for adults as well as children.

The Museum and Library Services Act of 2003 makes commonsense reforms to authorize museum and library activities. This consensus bill includes provisions important to Republicans and Democrats in both the House and the Senate.

We have worked hard to ensure that views from all interested parties were considered as we crafted our compromise. I would like to thank all of those who participated in this process, which actually began in the last Congress, including the ranking Democrat on the subcommittee, the gentleman from Texas (Mr. HINOJOSA). I thank him again for his support in getting us to the point where we are today. The Institute of Museum and Library Services, the American Library Association, and the Chief Officers of State Library Agencies and the American Association of Museums, they deserve a great deal of credit for the bipartisan bill that is before us today.

I would also like to thank the gentleman from California (Mr. GEORGE MILLER), the ranking member of the full committee, and the gentleman from Ohio (Mr. BOEHNER), the chairman of the full committee, for their support of this legislation, and also to the committee staff on both the minority and majority side in both the House and the Senate that did a tremendous amount of work to get this bill to the floor today.

Today will complete the work on the Museum and Library Services Act. This bill will go to the President; and once it is signed into law, we can ensure that our Nation's museums and libraries are getting the best assistance we are able to provide from the Federal level.

Mr. Speaker, I urge my colleagues to support H.R. 13, the Museum and Library Services Act of 2003.

Mr. Speaker, I reserve the balance of my time.

Mr. HINOJOSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 13, the Museum and Library Services Act of 2003. I would like to say to the over 117,000 libraries and to more than 16,000 museums nationwide, you have a real friend and champion in the gentleman from Michigan (Mr. HOEKSTRA), the chairman of the Subcommittee on Select Education. I also commend the chairman and the ranking member of the Committee on Education and the Workforce, the gentleman from Ohio (Mr. BOEHNER) and the gentleman from California (Mr. GEORGE MILLER) for their leadership in producing this bipartisan legislation. This bill not only has strong bipartisan support, it also has broad support from the library and the museum community throughout the country.

I am proud that with this bill we are reaffirming our national commitment to the institutions that provide access to information and technology for many in our community who would not otherwise have access to this wealth of information. Through this legislation, we are demonstrating to the Nation that we value the key institutions that preserve and promote our cultural heritage.

The Museum and Library Services Act strengthens the Federal support for museum and library programs. It reauthorizes the Library Services and Technology Act, raising the authorization level to \$232 million and increasing the minimum State allotment to \$680,000.

□ 1630

These grants can be used for expanding services, for learning and access to informational and educational resources in a variety of formats, for providing electronic and other linkages among and between all types of libraries and for targeting services to people of diverse geographic, cultural and socio-economic backgrounds.

This legislation also reauthorizes the Museum Services Act to encourage and support museums in carrying out their public service, educational and leadership roles as stewards of the cultural, historic, natural and scientific heritage of the United States of America. This part of the legislation increased the authorization of this important program to \$38.6 million for fiscal year 2004.

Mr. Speaker, in my congressional district this program has provided invaluable support to the International Museum of Art and Sciences in my McAllen, as well as to the Donna Hooks Fletcher Historical Museum in Donna; and there are many others that have benefitted as well. As a result of this program these museums will strengthen their conservation programs and increase their base of support in their community.

Also, H.R. 13 incorporates the Arts and Artifacts Indemnity Act introduced by my good friend and colleague, the gentlewoman from Minnesota (Ms. MCCOLLUM). This act increases the indemnity coverage to \$600 million per exhibition. I thank the gentlewoman from Minnesota for her work on this important issue.

Finally, I would like to commend the committee staff for their excellent work on this bill. In particular, I commend Rich Stombres and Rebecca Hunt of the majority staff for their efforts on this bill. I also wish to applaud the hard work of our Democratic committee staff, Ricardo Martinez and Cheryl Johnson. This was a job well done.

Mr. Speaker, I reserve the balance of my time.

Mr. HOEKSTRA. Mr. Speaker, I yield 4 minutes to the gentlewoman from Michigan (Mrs. MILLER), the former Official State Historian of the State of Michigan.

Mrs. MILLER of Michigan. Mr. Speaker, I rise in support today of H.R. 13, the Museum and Library Services Act. I would like to thank my distinguished colleague and friend, the gentleman from Michigan (Mr. HOEKSTRA) for introducing this legislation. His leadership on education issues has been instrumental, quite frankly, in preparing our Nation's youth for their future and for ensuring a high quality of life in our communities.

As a cosponsor of H.R. 13, I urge my colleagues to pass this very important legislation. The Museum and Library Services Act does more than simply authorize funds. It improves the efficiency and delivery of the services that libraries and museums supply to facilitate access to important resources such as reference materials, classical literature and the Internet also.

In addition, this legislation coordinates services offered by libraries and museums so they can match these goals outlined in No Child Left Behind. By giving these great institutions the tools they need to maximize their impact on schools and communities, this House can confirm its commitment to ensure that, indeed, no child is left behind.

The effect of libraries and museums on education cannot be overlooked, but we must also examine the role these institutions play in improving the quality of life of the communities that they serve. Libraries and museums are cultural centers and meeting places for friends and for families. They are foundations of learning and of entertainment. We must support these institutions so that they can continue to support our community.

Mr. Speaker, I found it imperative that I speak today on H.R. 13. As my distinguished colleague had mentioned, as Michigan's former Secretary of State, actually part of my responsibilities for 7 years was serving as Official Historian of the great State of Michigan and the department I oversaw had jurisdiction, of course, over the Michigan Historical Center. This center is truly one of the greatest cultural assets in our State, and so I have firsthand knowledge of the great work of our State's libraries and of our museums, and with the passage of H.R. 13, these institutions will be able to continue their great work.

In October of this year, the Clinton-Macomb Public Library will be dedicating its new main library back in my home County of Macomb. This facility will be the largest library in Macomb County and actually will be the seventh largest library building in our great State of Michigan.

The services of this new state-of-the-art library, some that they will provide, are simply remarkable. Not only will it have the newest technology that is available, but the library will enact a 24-hour delivery system. This will actually be the first of its kind in the world. Additionally, its automated sorting will be only one of 10 in the United States.

The Clinton-Macomb Public Library will be more than a collection of books or microfilm, its children services have been designed to meet the literacy needs of our children with a strong focus on pre-schoolers. The new library will include learning centers for children and there will be computers with educational software designed to inspire learning in young children.

In addition, new technology will be available to all library users regardless of age. The construction of this library is truly a great thing. With the advent of the Internet many believed that libraries would be a thing of the past. The Clinton-Macomb Public Library is proof positive that this is not true. Instead, the demands for services provided by libraries has absolutely exploded. It has expanded. The libraries and museums are often on the cutting edge in utilization of technology as a tool for customer service.

Mr. Speaker, this legislation is good government. It supports the institutions that positively affect the lives of our citizens, and in a time when our children are exposed to so many things that are negative, libraries and museums offer services and resources that help our children grow and learn.

I was proud to cosponsor this bill. I was proud to vote in favor of this bill in March of this year, and I am certainly proud to speak in favor of the bill today.

Mr. HINOJOSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we approach the end of this debate on H.R. 13, I wish to commend my friend and colleague, the chairman of our Subcommittee on Select Education of the Committee on Education and the Workforce, the gentleman from Michigan (Mr. HOEKSTRA), for the work that we have been able to do in our committee in a bipartisan manner. I look forward to working on many other bills that he and I have discussed as we move along this year and go into the second half on the 108th Congress.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. HOEKSTRA. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. BOEHNER), the chairman of the full committee.

Mr. BOEHNER. Mr. Speaker, I thank the Members on both sides of the aisle for the good work that has been done on this bill.

This year millions of Americans will visit a museum in America and millions more will visit their local library for books and other community services.

Libraries and museums play a vital role in educating our children and in promoting our communities. Throughout our Nation libraries are at the forefront of reading and family literacy programs. Libraries are critical to many people with disabilities, providing them with specialized materials and resources that are obtainable in a single accessible location.

For those of limited financial resources or who live in remote areas, libraries provide access available nowhere else to books and reference materials, computer services and other community-based services.

Museums across the country work with our local schools to provide K through 12 educational programming. They are an important source of cultural and historical knowledge, helping to promote learning about the history and traditions of our country and other nations around the world. In addition, museums serve as places where people of different backgrounds come together to share information about history, culture, and civilization.

In the last Congress, the gentleman from Michigan (Mr. HOEKSTRA) worked in a bipartisan manner to report the Museum and Library Services Act of 2002 and he worked very closely with the gentleman from Texas (Mr. HINOJOSA). In this Congress, these gentlemen continued to author H.R. 13, the Museum and Library Services Act of 2003, that passed the House by a vote of 416 to 2, and that happened earlier this year.

Since then the two gentlemen have been working with the Senate on a bipartisan compromise bill that has the support of the Bush administration and has been endorsed by the American Library Association, the Chief Officers of State Library Agencies, and the American Association of Museums. The Senate passed that compromise bill by unanimous consent on August 1 of this year.

I just want to commend both the gentleman from Michigan (Mr. HOEKSTRA) and the gentleman from Texas (Mr. HINOJOSA) and the staff on both sides of the aisle for all of the work that they have put into this very important piece of legislation.

This legislation before us today funds the Institute of Museum and Library Services, a Federal agency devoted exclusively to museums and libraries which partner with our Nation's schools. It consolidates the Museum and Library Board activities to reduce unnecessary paperwork and duplication and prohibits projects that are determined to be obscene from receiving funding.

In addition, the reauthorization of the Museum and Library Services Act is an important next step in ensuring that the President's education reforms signed into law last year are properly implemented. The bill requires that all library activities are coordinated with activities under the No Child Left Behind Act, President Bush's landmark education reform legislation.

Let me also thank my good friend and colleague, the ranking Democrat on our committee, the gentleman from California (Mr. MILLER), for his support of this bill as we moved it through committee and as we have gotten agreement with our colleagues in the other body. I think all of the Members on both sides of the aisle under the

leadership of the gentleman from Michigan (Mr. HOEKSTRA) have done an outstanding job in bringing us to this point. I want to congratulate them on their efforts.

Mr. HOEKSTRA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman for his kind words. We have had a very successful year in the full committee. We are glad to contribute a bill that also has now made it through the committee.

I would like to recognize one of our colleagues on the minority side who is not here but who is the only librarian in Congress, the gentleman from New York (Mr. OWENS), for the assistance that he has provided in putting this bill together. I know he has been very interested in what we have been doing and has helped craft this final bill based on the background and the experience that he has had.

I thank the gentleman from Texas (Mr. HINOJOSA) for his help, and I look forward to working together with him on other pieces of legislation.

Mr. GIBBONS. Mr. Speaker, I rise today to express my great support for H.R. 13, the Museum and Library Services Act of 2003. This compromise bill will provide libraries, throughout our nation with an additional \$232 million in funding.

Libraries are at the forefront of promoting our reading and family literacy efforts. This additional funding will allow libraries to maintain their traditional commitment to educating all Americans, young and old, while also furthering their work to keep pace with the development of technology by adding electronic media and new computers.

This bill will also greatly benefit our museums, which showcase our heritage, art, and accomplishments. This year, more than 865 million people will visit a museum in America. Similarly, millions of students will check out their first book from their local library, and millions of families will gather for community literacy and learning programs. The role of libraries and museums in American society is critical.

I personally remember my hometown library and my hometown librarian, Marther Gould, who now serves on the National Commission on Libraries and Information Science. She stands as a stalwart supporter of our library system and works diligently to ensure that they keep up with 21st century technology.

I urge all of my colleagues to support H.R. 13, so it can be signed into law to ensure that our libraries and museums can continue to serve our nation and future generations of Americans.

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today in strong support for H.R. 13, legislation to reauthorize the Museum and Library Services Act.

I want to thank my colleagues, Mr. HOEKSTRA, from Michigan, and Mr. HINOJOSA, from Texas, for their efforts on behalf of our nation's museums and libraries.

As a former teacher, I have witnessed firsthand the power of libraries.

Libraries in my district and across the Nation offer citizens the tools they need to stay informed, keep in touch with people far and wide, and be an active part of this community



and world. They are critical to our efforts to educate our citizens.

In my own district, thanks to the help of thousands of volunteers and donors, the main branch of the Kansas City library will soon open a state of the art facility in the newly renovated First National Bank Building located in downtown Kansas City. When it opens in the spring of 2004, the new library will feature expanded community meeting spaces, 107 more networked public computers, and 110 network ports for public use. In addition to its historical preservation, what is especially exciting about this project is the amount of public-private collaboration that has gone into the process. And that is what this bill today is all about.

The Institute for Museum and Library Services has been a model for collaboration between the Federal government and local communities and libraries. Since its inception in 1996, IMLS has provided more than \$16.7 million to support library and museum activities in Missouri. The Kansas City Public Library has received considerable support, and the Nelson-Atkins Museum of Art has also benefited from IMLS funding. The Museum and Library Services Act has made a difference in libraries and communities all over America and this reauthorization will help us continue that legacy.

Since this legislation was first passed in 1996, our nation has continued to lead the digital revolution. The Internet, e-mail, and wireless technologies have transformed the way we work and communicate. Unfortunately, many Americans are cut off from the jobs and economic benefits that these amazing technological advances offer.

Libraries are an important part of our efforts to bridge this divide. They offer networked public computers, access to the Internet, and personalized assistance. Today's legislation will provide funding for local communities to improve and expand these efforts.

Mr. Speaker, all of us agree that our libraries and museums are an integral part of our communities. Unfortunately, in these tough economic times, these vital community resources are often slated for funding cuts. The legislation we approve today offers a helping hand. I urge my colleagues to support this bill.

Mr. CASTLE. Mr. Speaker, I rise in support of H.R. 13, the Museum and Library Services Act, which will reauthorize the library and museums program under the Institute of Museum and Library Services. The role our libraries and museums play in educating our students, adults and families is incomparable. The lifetime learning encouraged by libraries and museums across the country is something we should all support.

I am particularly pleased that H.R. 13 raises the minimum State allotment. For smaller States like Delaware, this makes a huge impact. For example, with assistance from The Institute of Museum and Library Services, Delaware was able to set the model for evolving with growing technologies. Since 1996, Delaware, the Digital Library of the First State, has provided online information and services to all citizens with a library card. Delaware was also the first state to provide access for all its citizens to thousands of newspapers and periodicals in public libraries and remote access.

The support for libraries in Delaware is seen across the country. There are more than 117,000 libraries in the United States, including public libraries and libraries in schools, col-

leges and universities, hospitals, law firms, businesses, the armed forces and more. In fact, a recent study found that the majority of Americans felt libraries play a unique role because they provide access to everything on the Web or in print, as well as personal service and assistance in finding it.

The Institute for Museum and Library Services offers unique and vital educational services to all Americans. By funding libraries and museums, we improve access to information, improve care of collections and enhance community service.

With the growing momentum and implementation of No Child Left Behind, I encourage my colleagues to recognize museums and libraries as supporting players in helping our young students and engaging their families.

Mr. HOEKSTRA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Michigan (Mr. HOEKSTRA) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 13.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m.

Accordingly (at 4 o'clock and 43 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1836

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. TERRY) at 6 o'clock and 36 minutes p.m.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 7, CHARITABLE GIVING ACT OF 2003

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 108-273) on the resolution (H. Res. 370) providing for consideration of the bill (H.R. 7) to amend the Internal Revenue Code of 1986 to provide incentives for charitable contributions by individuals and businesses, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Mr. RYAN of Ohio. Mr. Speaker, subject to rule XXII clause 7(c), I hereby

announce my intention to offer a motion to instruct on H.R. 1308, the Child Tax Credit bill. The form of the motion is as follows:

Mr. Speaker, I move that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

3. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

4. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the Columbia disaster.

5. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees and the House conferees shall file a conference report consistent with the preceding provisions of this instruction, not later than the second legislative day after adoption of this motion.

The SPEAKER pro tempore. The notice will appear in the RECORD.

#### GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the motion to go to conference on H.R. 2657, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

#### APPOINTMENT OF CONFEREES ON H.R. 2657, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2004

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2657) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2004, and for other purposes, with the Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida? The Chair hears none and, without objection, appoints the following conferees: